

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 4, 1980
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Mullen, Snell, Trevino

Absent: Councilmembers Goodman, Himmelblau

The Invocation was given by Reverend Marvin Griffin, Ebenezer Baptist Church.

MINUTES APPROVED

Councilmember Cooke moved that the Council approve the Minutes of the Meeting for August 21, 1980. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Mullen, Trevino

Noes: None

Absent: Councilmembers Goodman, Himmelblau

Not in Council Chamber when roll was called: Councilmember Snell

BOARD AND COMMISSION APPOINTMENTS

The following Board and Commission appointments will be made September 11, 1980:

On-Going Goals Assembly Committee, 3
Community Development Commission, 2
Vending Commission, 1
Dental Health Advisory Committee, 3
EMS Quality Assurance Team, 1
Environmental Board, 2
Commission on the Status of Women, 1
Board of Adjustment, 1
MH/MR Public Responsibility Committee, 1
Human Relations Commission, 1

This announcement was made by Mayor McCellan who stated that in addition the following appointments will be made October 2, 1980:

Arts Commission, 5
Building Standards Commission, 1
Austin Community Education Consortium, 7
Construction Advisory Committee, 4
Electric Utility Commission, 1
Private Industry Council, 6

INTERNS INTRODUCED

Mayor McClellan introduced to Councilmembers and Chamber audience the new intern for her office, Liz Williams from Lanier High School and the intern for Councilmember Cooke's office, Mike Garza from Crockett High School.

EASEMENT RELEASES

Councilmember Trevino moved that the Council adopt a resolution approving release of the following easement:

A 7.5' drainage and public utility easement located in Lot 34, Block C, Convict Hill Section II. locally known as 6821 Kenosha Pass. (Requested by Mr. Jim Pruett, owner)

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

Councilmember Trevino moved that the Council adopt a resolution approving the following easement:

A blanket electric and telephone easement as recorded in Volume 3871, Page 2188 of the Travis County Deed Records, Travis County, Texas. (Requested by Jerry D. Angerman, Ronald C. Schultz and Thomas H. Barnett)

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

CONTRACTS APPROVED

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

AUSTIN ROAD COMPANY
428 E. Anderson Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Webberville Road - Street, Drainage
and Sidewalk Improvements,
Engineering Department -
\$144,776.85 C.I.P. No. 73/62-32

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

M.B JUSTICE COMPANY
3206 Stardust Drive
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
1977-78 Intersection Improvement
Program, Engineering and Public
Works Departments - \$71,397.00
C.I.P. No. 78/62-02

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

M.B. JUSTICE COMPANY
3206 Stardust Drive
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Avenue C from West 46th Street
to 340 Feet Northerly, Engineering
Department - \$17,314.00 C.I.P.
No. 73/62-01

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

SOUTHWAY ELECTRIC UTILITY SERVICE
9230 Neils Thompson Drive, Suite 111
Austin, Texas

- CAPITAL IMPROVEMENT PROGRAM -
Stockbridge Vibration Dampers
for 345 KV Transmission Line
South Texas to Lytton Springs,
Electric Utility Department
Item 1 - \$58,800.00 C.I.P. No.
77/13-04

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

GRAYBAR ELECTRIC COMPANY
7434 North Lamar Boulevard
Austin, Texas

- Copper Bus Bar, Electric Utility
Department
Item 1 - \$13,224.88

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

PORTER PLUMBING AND HEATING
COMPANY, INC.
4119 Guadalupe
Austin, Texas

- Boiler Stack Repairs, Brackenridge
Hospital - \$13,600.00

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Goodman, Himmelblau

Councilmember Trevino moved that the Council adopt a resolution approving the following contract:

WOODY'S CONTRACTING COMPANY
901 Wagon Trail
Austin, Texas

- Emergency Repairs to Ragsdale
Maintenance Building -
\$18,849.00

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Goodman, Himmelblau

TEMPORARY STREET CLOSING

Councilmember Trevino moved that the Council adopt a resolution temporarily closing Lone Mesa Drive (Cul-de-Sac) from Adirondack to end of cul-de-sac, September 19-29, 1980 from 5:00 p.m. to 9:00 p.m. on weekdays and 1:00 p.m. to 9:00 p.m., Saturday and Sunday as requested by Ken Zimmerman, representing the Austin Association of Builders. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Goodman, Himmelblau

CETA PUBLIC SERVICE EMPLOYMENT CONTRACT

Councilmember Trevino moved that the Council adopt a resolution modifying the existing CETA Public Service Employment contract with Interart Works, Inc. in the amount of \$4,000 for providing CETA mandated training for Public Service Employment participants employed in arts related activities. (September 4, 1980 to September 30, 1980) The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

ALTERNATE ENERGY TECHNOLOGIES

Councilmember Trevino moved that the Council adopt a resolution adopting scope and fiscal impact of the Renewable Energy Resources Commission's proposal to study alternate energy technologies. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

Mayor McClellan asked if this will come from the ending balance of the proposed 1980-81 budget. Mr. Hancock, Director of Electric Utility, said yes.

PUBLIC HEARINGS SET

Councilmember Trevino moved that the Council set a public hearing for 7:00 p.m., September 18, 1980 to discuss recommendations which have been developed pursuant to the Lake Austin Peninsula Study. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Trevino, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

Councilmember Trevino moved that the Council set public hearing dates of September 9 and 10, 1980 at 6:00 p.m. on transit fare increases. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Trevino, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

AGENDA ITEM POSTPONED
(Davenport MUD)

Councilmember Trevino moved that the Council postpone consideration of approval of (1) a contract with Westview Development, Inc. relating to the Davenport Ranch MUD #1 and the remainder of the Davenport Ranch and (2) amendments to the consent resolution of March 6, 1980 to reflect contract modifications, until September 11, 1980. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Trevino, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Goodman, Himmelblau

SPEED ZONES MODIFIED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (b) AND (c) OF SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN ADDITIONS AND DELETIONS TO SAID SUBSECTIONS THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke
Noes: None
Absent: Councilmembers Goodman, Himmelblau

The Mayor announced that the ordinance had been finally passed.

Section 21-42

Deletion: Subsection c-45mph

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Burleson Road	Ben White Blvd.	East City Limits (Montopolis Dr.)

Addition: Subsection b-40 mph

Burleson Road	Ben White Blvd. East (3600 Block)	South City Limits (Montopolis Dr.) (6200 block)
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Deletion: Subsection c-45 mph

Cameron Road (FM 3015)	485 feet north of Highway 290 east (6700 block)	420 feet South of Highway 183 (7600 block)
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Addition: Subsection b-40 mph

Cameron Road (FM 3015)	485 feet North of Highway 290 east (6700 block)	Highway 183 (7600 block)
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ZONING ORDINANCES

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.177 ACRE TRACT OF LAND, SAVE AND EXCEPT A 5 FOOT STRIP OF LAND ALONG THE NORTHWESTERN BOUNDARY OF SAID TRACT (WATSON STREET) WHICH IS TO REMAIN ZONED "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 7809-7811 WATSON STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Robert W. Laughlin, C14-76-081)

The ordinance was read the first time, and Councilmember Trevino moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Councilmember Cooke

Noes: Councilmember Snell

Absent: Councilmembers Goodman, Himmelblau

The Mayor announced that the ordinance had been passed through its first reading only.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.552 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1610 WHELESS LANE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (John Noell, C14-80-052)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan
Councilmember Cooke

Noes: None

Absent: Councilmembers Goodman, Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN APPROXIMATE 111.47 ACRES OF LAND, SAVE AND EXCEPT TRACTS 1-36 SET OUT BELOW, LOCALLY KNOWN AS 2200-2212, 2500-3124 AND 2707-2911 EAST 2ND STREET, SAVE AND EXCEPT 2608-2610 AND 2805-2811 EAST 2ND STREET; 1701-2111, 2501-2911 AND 2500-2910 EAST 3RD STREET; 2500-2920 AND 2501-2921 EAST 4TH STREET; 2201-3127 EAST 5TH STREET, SAVE AND EXCEPT 2203-2207 EAST 5TH STREET; 2200-2212 AND 2201-2213 EAST 2-1/2 STREET; 2200-2412 AND 2201-2411 SANTA RITA STREET; 2200-2412 AND 2201-2413 SANTA ROSA STREET; 213-217 CHALMERS AVENUE; 206-210 AND 207-211 CHICON STREET; 204-206 AND 205-207 ARANSAS STREET; 204-210 AND 205-207 ELKHART STREET; 204-208 AND 205-207 CANEY STREET; 204-206 AND 201-411 CANADIAN STREET; 201-415 AND 300-414 PEDERNALES STREET; 200-410 AND 201-409 SAN SABA STREET; 400-418 AND 401-419 PACE STREET; 110-418 AND 111-421 PLEASANT VALLEY ROAD, SAVE AND EXCEPT 109 PLEASANT VALLEY ROAD; 110-420 AND 111-421 BROADWAY STREET, SAVE AND EXCEPT 203 BROADWAY STREET; 110-424 AND 201-425 LINDEN STREET, SAVE AND EXCEPT 201-307 LINDEN STREET; 110-424 TILLERY STREET; 204-206 AND 205-207 SALINA STREET; 2200-2412 AND 2201-2413 SANTA MARIA STREET; AND ALL OF MATAMORAS STREET AND PROWSE LANE; FROM "B" RESIDENCE, "C" COMMERCIAL, "D" INDUSTRIAL, "E" HEAVY INDUSTRIAL AND "LR" LOCAL RETAIL, FIRST, SECOND AND THIRD HEIGHT AND AREA DISTRICTS TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 1: THE SOUTH 62 FEET OF THE FOLLOWING DESCRIBED PARCEL: THE SOUTH 83 FEET OF THE WEST 50 FEET OF THE EAST 150 FEET OF THE NORTH 150 FEET OF BLOCK 1, OUTLOT 22, DIVISION 0 OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: LOT 4 OF THE CYPHER RESUBDIVISION OF BLOCK 1, OUTLOT 22, DIVISION "0" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 3: LOTS 7, 8 AND 9, BLOCK 5 OF FAIR GROUNDS ADDITION; FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 4: LOT 1, BLOCK 6, BUENA VISTA SUBDIVISION; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 5: LOTS 2, 3 AND 4, BLOCK 6, BUENA VISTA SUBDIVISION; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO BE DELETED FROM AREA STUDY;

TRACT 6: LOT 6, BLOCK 6A, INDUSTRIAL ADDITION ANNEX AND .816 ACRES OUT OF OUTLOT 10, DIVISION "0", INDUSTRIAL SUBDIVISION, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET OF THE AFOREMENTIONED .816 ACRE TRACT WHICH IS ADJACENT AND PARALLEL TO THE NORTH RIGHT-OF-WAY LINE OF SANTA ROSA STREET; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 7: A .094 ACRE TRACT OF LAND, SAME BEING OUT OF AND A PART OF THAT CERTAIN PORTION OF OUTLOT 10, DIVISION "0" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 8: A TRIANGULAR TRACT OF LAND AT THE SOUTHWEST CORNER OF THE INTERSECTION

OF PEDERNALES STREET WITH EAST FIFTH STREET, FURTHER DESCRIBED AS A TRIANGLE 100 FEET BY 107 FEET BY 145 FEET OUT OF THE OUTLOT 10, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN;

TRACT 9: BEING ALL OF THE FOLLOWING DESCRIBED PARCELS: LOT 5, BLOCK 2 OF M.E. CHERNOSKY SUBDIVISION AND 150 FEET BY 120 FEET OUT OF OUTLOT 11, DIVISION "O", LOT 4 AND LOT 6, OF THE AFOREMENTIONED SUBDIVISION, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET OF LOT 6 PARALLEL AND ADJACENT TO THE NORTH RIGHT-OF-WAY LINE OF EAST 4TH STREET, FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 10: ALL OF LOT 16 AND THE NORTH 43 FEET OF LOT 12, BLOCK 2, M.E. CHERNOSKY SUBDIVISION OF OUTLOT 11, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 11: LOTS 6 AND 7, BLOCK 5, M.E. CHERNOSKY SUBDIVISION OF OUTLOT 11, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET PARALLEL AND ADJACENT TO THE NORTH RIGHT-OF-WAY LINE OF SANTA ROSA STREET; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 12: LOTS 22 AND 23, D.C. PACE ADDITION OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET PARALLEL AND ADJACENT TO THE NORTH RIGHT-OF-WAY LINE OF SANTA ROSA STREET; FROM "LR" LOCAL RETAIL, THIRD HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 13: LOTS 17, 18, AND 19, D.C. PACE ADDITION OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET PARALLEL AND ADJACENT TO SANTA ROSA STREET; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 14: LOTS 11-16 OF D.C. PACE ADDITION OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT;

TRACT 15: LOTS 1, 2, AND 3, D.C. PACE ADDITION OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 16: LOT 4-A OF THE RESUBDIVISION OF LOTS 4, 5 AND 6, D.C. PACE ADDITION, OUTLOT 12, DIVISION "O", CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 17: LOT 6-A OF THE RESUBDIVISION OF LOTS 4, 5, AND 6, D.C. PACE ADDITION, OUTLOT 12, DIVISION "O", CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 18: A TRACT OF LAND BEING THE NORTH 56 FEET OF LOT 12, BLOCK 24, OF THE SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 19: LOTS 9-A AND 10-A OF THE RESUBDIVISION OF LOTS 9 AND 10, JOHN DOWELL SUBDIVISION; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 20: LOT 8, BLOCK 24-A, SAVE AND EXCEPT THE SOUTH 5 FEET OF JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 21: LOT 7, BLOCK 24-A, SAVE AND EXCEPT THE SOUTH 5 FEET OF JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 22: ALL OF LOTS 8-14, BLOCK 1, INDUSTRIAL SUBDIVISION ADDITION OF OUTLOT 10, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 23: LOTS 5 AND 6, BLOCK 3, HIGHWAY ADDITION; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT, TO BE DELETED FROM AREA STUDY;

TRACT 24: LOTS 11-14, BLOCK 2 OF THE W.B. ANTHONY ADDITION SUBDIVISION OF EAST 2/3 OF OUTLOT 28 AND EAST 2/3 OF SOUTH 1/2 OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; AFROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 25: LOT 4, BLOCK 1, W.B. ANTHONY'S SUBDIVISION OF EAST 2/3 OF OUTLOT 28 AND EAST 2/3 OF S. 1/2 OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 26: LOT 3, BLOCK 1, W.B. ANTHONY'S SUBDIVISION OF EAST 2/3 OF OUTLOT 38 AND E. 2/3 OF S 1/2 OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL SECOND HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 27: ALL OF LOT 2 AND THE SOUTH 50 FEET OF LOT 1, BLOCK 1, W.B. ANTHONY'S SUBDIVISION OF E. 2/3 OF OUTLOT 28 AND E. 2/3 OF S. 1/2 OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 28: LOT 12, BLOCK 18, OF THE JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT, TO BE EXCLUDED FROM AREA STUDY;

TRACT 29: LOTS 7-10, BLOCK 18, OF THE JOHN DOWELL SUBDIVISION OF OUTLOT 13 AND 29, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT, TO BE EXCLUDED FROM AREA STUDY;

TRACT 30: LOT 12, BLOCK 4, OF HARTWELL ADDITION, SECTION ONE; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 31: LOTS 7, 8 AND 9, BLOCK 4, OF HARTWELL ADDITION, SECTION ONE, SAVE AND EXCEPT THE NORTHERNMOST 5 FEET BEING PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF EAST 2ND STREET; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 32: LOT A OF THE RESUBDIVISION, LOTS 1 AND 2, BLOCK 3, HARTWELL ADDITION, SECTION 1"; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT, TO BE EXCLUDED FROM AREA STUDY;

TRACT 33: LOTS 1 AND 2, BLOCK 20, OF THE JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL

CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 34: BEING THE SOUTH 1/3 OF LOTS 10, 11 AND 12, BLOCK 20, OF THE JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 35: BEING THE NORTH 2/3 OF LOTS 10, 11 AND 12, BLOCK 20, OF THE JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; and,

TRACT 36: THE SOUTH 1/2 OF LOTS 11 AND 12, BLOCK 22, OF THE JOHN DOWELL SUBDIVISION OF OUTLOT 13 AND 29, DIVISION "O" OF THE GOVERNMENTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin, C14-80-025)

The ordinance was read the first time, and Councilmember Trevino moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: Councilmember Mullen

Absent: Councilmembers Goodman, Himmelblau

The Mayor announced that the ordinance had been passed through its first reading only.

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 4.92 ACRE TRACT OF LAND, LOCALLY KNOWN AS 111-145 SHERATON AVENUE and 4610-4706 SUBURBAN DRIVE, FROM INTERIM "A", INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bob Howerton, Joe Gilbreth, C14-80-128)

The ordinance was read the first time, and Councilmember Trevino moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Cooke

Noes: Mayor McClellan

Absent: Councilmembers Goodman, Himmelblau

The Mayor announced that the ordinance had been passed through its first reading only.

LAKE AUSTIN MORATORIUM EXTENDED

Councilmember Trevino moved that the Council extend the Lake Austin Peninsula Moratorium Ordinance to September 26, 1980, excluding Mr. Shelton's property. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmembers Goodman, Himmelblau

AGENDA ITEMS POSTPONED

Councilmember Trevino moved that the Council postpone consideration of the following ordinances until September 11, 1980:

1. Consider adoption of the 1979 Edition of the Uniform Fire Code
2. Consider amending the 1979-80 Operating Budget in twelve city accounts.
3. Consider amending the 1979-80 Operating Budget to increase by \$3,000,000 the amount of funds transferred from the budget of the Electric Department to the 1979-84 Electric Capital Improvements Program.
4. Consider amending the 1979-84 Capital Improvements Program by appropriating \$8,739,000 to various Electric CIP projects from the following sources:
 - a. Reduction/Deletion of appropriations of various existing CIP projects \$4,155,000
 - b. Increased transfer of funds from 1979-80 Operating Budget 3,000,000
 - c. Contributions of Aid of Construction 1,600,000

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke
Noes: None
Absent: Councilmembers Goodman, Himmelblau

Councilmember Trevino moved that the following zoning ordinance be on the September 11 Agenda for passage:

CROW-GOTTESMAN, A	12000-14000 Technology	From Interim "AA" Residence
Texas Limited	Boulevard and 12563-	1st Height and Area
Partnership	12589 U.S. Highway 183	To "D" Industrial
By Sanford L.		1st Height and Area,
Gottesman		"D" Industrial
C14-80-112		2nd Height and Area, and
		"GR" General Retail
		1st Height and Area

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke
Noes: None
Absent: Councilmembers Goodman, Himmelblau

REPORT ON SUNFEST '80 REQUEST

Mr. Leonard Ehrler, Director, Parks and Recreation Department, reported that representatives from the Phogg Foundation for their Sunfest '80 event, have asked City Council that the fees for electrical work they are requesting for Auditorium Shores be waived. The work they are requesting would cost from \$1,600 to \$2,000 and would have to be done by staff from the Electrical Department. The normal charge made by the Parks and Recreation Department to plug into available electrical outlets at Auditorium Shores is \$10.00. Many other organizations have held activities on Auditorium Shores where additional electrical requirements were made by Electric Department staff and this work was paid for by the organization sponsoring the event. The Parks and Recreation staff recommends that no fees be waived by City Council in connection with the Sunfest '80 event.

Councilmember Cooke asked if Council has ever waived fees. Mr. Tom Muehlenbeck, Deputy City Manager, told him the city used to for the Aqua Fest but doesn't any more. Councilmember Cooke asked if there are any funds in the Department of Renewable Resources. Ms. Thomson, Budget Director, said she had checked and found there are no funds available there.

ELECTRIC DEPARTMENT FUNDING REQUIREMENTS

Mr. Hancock reported on the Electric Department Funding Requirements, and said, "Since Council has referred this to EUC they may wish to wait and take this up when they receive the recommendations from EUC." He referred to the memorandum referred to Council in their Agenda back up material. Mayor McClellan asked him to explain the reason for the short fall. Mr. Hancock continued, "On March 12 we indicated to Council that we estimated there would be a short fall in funding available to support the construction activities, that's in the CIP as opposed to the budget, but for transmission and distribution activities in the area. We estimated the short fall at that time to be \$1.7-million. The reason for the short fall was a cut in the CIP budget previously and under estimation on our part concerning the construction activity for that particular period." Mayor McClellan asked if any of this relates to the failure of the bond issue. Mr. Hancock replied, "We had in that bond issue funding to cover an anticipated short fall, as I recall, for this particular year. Of course that failed and that funding was then not available.The March 12th communication was a recommendation with respect to what actions the department should take and could take with respect to failure of the bond issue. We indicated we would be short for this year but we thought it could be matched." Mayor McClellan recalled the reason electric was put on the unsuccessful bond issue was because Mr. Hancock was projecting a short fall this year. She asked how much that was. Mr. Hancock told her \$1.7-million. "We indicated that although we were that short we could manage the funds for the year. That was predicated somewhat though on an economic down turn in the area as a result of what appeared to be a recession at that time. Subsequent to that additional monies were available for local construction and the housing market in particular. That decline in activity never materialized. We continued heavy construction activity during the summer period, which tended to further reduce that. In preparation for the

necessary actions to address that short fall we reviewed all of our estimates on costs for the balance of the year, appropriations required for projects committed for the balance of the year and found the 345 KV transmission line between Holman and Danevang, the transmission line that connected to the South Texas Project, was underestimated to the tune of \$4.4-million. So, this memorandum transmits all of that information and transmits the suggested adjustments to be able to still manage those circumstances and requests authority to proceed in that manner. Those adjustments take several different forms. The deletion of several Capital Improvements Projects that can be deleted, will not subsequently be required. The deferral of other Capital Improvements Projects which would be the completion of Decker Two Funding and \$400,000.00 that's available from the closure of that work order initiated in 1973; the deletion of an account for some environmental studies that are not necessary that were initiated in 1976. The deletion of a 1977 item for future energy development that isn't required and will be covered in some other areas...it was very generalized and specifically looked toward the development of lignite or gassification or methanol. Subsequently we have entered in the new CIP a funding specifically for stored energy devices and for lignite. So this can be deleted. ...We had a rebuild on a transmission circuit that was completed that was appropriated in 1977. Those funds would be applied. There is certain site work at the Walnut Creek substation which is immediately adjacent to the Walnut Creek Sewage Treatment Plant. That site work is coordinated with the development of a golf course in that area. That has not culminated yet and can be deleted. We also have 200-300 small accounts and we ended up with a balance on those of about \$80,000 that could be applied. And then finally, funding that was available after the completion of the emergency AC power supply at the Holly Plant which gave us \$50,000 for a total of \$1.155 available from either a deletion or fund balances from completed projects. Then we suggested the deferral of several conversion projects to be deferred about two years, which would release immediate funds that could be applied but would require a new funding appropriation subsequently."

Councilmember Cooke asked Mr. Hancock what he means by cuts in the CIP budget and said, "Last year we did drop \$1.1-million out of your budget in maintenance items." Mr. Hancock said he did not clearly recollect, but in the development of the bond program that funded that particular period that initially we cut out of the CIP about a million dollars. Mayor McClellan said, "Before next week I would like in writing some back-up detail on what cuts in the CIP budget. That's why I was particularly asking about the failure of the bond program because you were predicting a short fall we had not known about prior to that time." Councilmember Cooke said he would like to see a report on the CIP budget cuts and also where the under estimates were in the department and those ultimately would roll up to the \$1.7 million. The other question I have about increased activity, and I would like a memo too, is you indicate under other construction...does this mean this money is already on the ground. In other words, \$2,550,000 decreased activity you say we expected a down turn in the economy and you thought we could manage but we really had an upturn with more houses being built and the needs on the system were continuing to expand and so therefore you were having to meet that commitment. My question is, is this money that you obligated yourself to and now you are coming for authorization after you have obligated

yourself to it and if we don't give it to you you are going to be...you've got money you are already committed to to put in line and do all the things you need to do and you don't have the appropriation to do it with." Mr. Hancock said, "The \$2,550,000 is the net difference between the increased activity in underground that has a dollar sign in excess of \$2,550,000 and a credit from some of the overhead area which has a balance left and some of the other activities in the system that have a slight balance left and I think the direct answer to your question is the \$2,550,000 is a net number and we are not depleting funds from other accounts that subsequently will be required to meet the commitments under this years Capital Improvements Program." Councilmember Cooke said, "Has this money been obligated and we really don't have a choice? ...The reason I am speaking to this is because you indicated the system has to meet the demand of the community and that demand was when we did not experience the housing drop off the other communities experienced and therefore you had to proceed to that. I don't want to read between the lines but you had to go ahead and proceed with those commitments and you have done that and you might have had to shift some funds around from some other operational accounts in order to meet those demands in maybe May or June or July. Then in order to meet those demands you had to shift others up which operationally was within your prerogative, I respect that, but in order to meet all the demands of your system you are going to need the \$2,550,000 and that is what I need clarification on." Mr. Hancock said they will need the money in order to meet the appropriation requirements in the T & D portion the balance of this year. We have used some balances available from other portions of the T&D CIP program to meet the current activity in the area and are anticipating additional activity in that area so that \$2,550,000 is what we anticipate for appropriation requirements for the balance of the fiscal year." Councilmember Cooke asked if he could have a breakdown on how much of this money is for service to new homes, how much to new commercial projects and how much to industrial projects." Mr. Hancock said he would check with Engineering for the numbers.

Mayor McClellan questioned the figure of \$100,000 in street lighting to be deferred. Mr. Hancock told her this is not residential but arterial street lights. Mayor McClellan asked for a report on specifics. Councilmember Cooke asked how much of the money should be transferred to Capital Appropriations. Mayor McClellan asked for the reports by Monday when the Electric Utility Commission meets.

CDC's ACTIVITIES AND FUNDING REQUIREMENTS

MR. CARLOS HERRERA reported on CDC's Activities and Funding Requirements. He said, "The purpose of our report is to brief you on some follow up activity that has recently been undertaken by HUD and the city regarding the community based organizations which were funded under the Community Development Block Grant. As a result of following the advice of the HUD area office we had no recourse but to suspend any cash draw downs for the immediate future on the CDC's. We received the notification on August 14. We sent the notice out on August 22nd giving us five or six days in which we were making every effort to make a compromise situation with HUD. What it boils down to, we have a diametrical point of difference in our view with HUD and in trying

to resolve that with them we wanted to discuss it with them so we could point out our point of view and we could understand theirs. We have failed to do that, even to this date. They have raised additional questions as of this morning and we are going to also address regarding the CDC's. We feel confident we can defend the actions, process and everything that transpired for these particular groups." Councilmember Cooke asked if there are a number of differences or a major difference. Mr. Herrera answered, "The major difference is that they are wanting to pass judgement on whether these groups are eligible to be funded by the city. We feel that they are eligible under any of the 3 or 4 categories. These groups are not local development organizations. These groups are service deliverers that we purchased a service on a non-profit basis from. In doing so it is not necessarily mandated that this particular type organization be pre-reviewed by HUD. They are trying to say they are and in trying to resolve that question we are having to discuss and debate it with them. We will have any number of administrative recourses available to us including appeal processes through their own process that they have. I want you to understand that having suspended the cash draw down as of last Thursday, the Manager has a memorandum to the City Council recommending a particular course of action which would continue the cash draw down. If we pursue that recommendation I want to appraise you today of the potential financial liability the city may occur in the event we ultimately fail to resolve this issue in favor of the city. I don't believe, at this point, that will happen. In order to resolve this it will take further discussions. Mr. Muehlenbeck and I have already arranged a meeting with HUD to go down and further discuss the issues, including other issues. We will make every effort to resolve this as soon as possible. We can't give you any particular date because we don't know what other action HUD may want to undertake which may include legal review by their people and that may mean further discussion. ...But the total amount of monies we are talking about is \$597,130.00 if HUD does not find in our favor. The potential liability to date because of the amount of funds that have been in fact disbursed to these organizations is \$200,998. If we continued the suspension as of this date that is the total liability you face as of this moment. That is what we are already committed to. Future potential liability is the difference between that amount and the total which is \$396,132. We would like some kind of direction from the Council."

Councilmember Cooke asked, "What is the current level of activity of these CDC's as regards their plan as they presented it to the city and their staffing?" Mr. Herrera said they will be coming back shortly with a broad report regarding each CDC and how we interpret the activity. All of them were preliminarily in a gearing up stage where they were hiring people, getting the organization located, furnishing telephones and all the administrative things that have to occur before they could get on the ground and get to work. These things are in place now with all the organizations." Councilmember Cooke said, "Then a freeze on their funding cuts off their operation, their salary and everything." Mr. Carlos said the organizations have now reached a point of productivity and they would be very distressed if they had to give up those activities because there are no funds available. The alternative Council is faced with, they could not pay for it out of CDBG funds and carry them on city dollars. Mayor McClellan asked where the city dollars would come from. Mr. Herrera said this would have to be mandated by Council from the General Fund. He said he does not recommend that as strongly as to continue funding out of CDBG and allow them the opportunity to continue

discussion with HUD and allow them to reach a resolution to this as soon as possible. Mr. Herrera said there will be an update on each organization in about two weeks.

Councilmember Mullen asked how much longer the \$396,000 will last. He was told anywhere from 5 to 6 months. Councilmember Mullen asked for a report the 18th "because they are going to have a meeting on the 15th, and come back on the 18th with as much as you can, fund it for two more weeks, and at the end of that time determine where we stand and maybe stop it if necessary."

Councilmember Cooke said he would have a problem with stopping programs when Council has made a commitment to them. He said he realizes that because of the difference in interpretation by the City and by HUD a real problem exists.

Mayor McClellan asked for a report on the information Councilmember Mullen requested, "and I also think we need to identify what our General Fund Ending Balance is. We've got to date some 5000 plus amendments to that and we've got to have an update to that at the same time we are doing this to know, if the possibility occurs, where the dollars are going to come from."

OAK SPRINGS STORMWATER DETENTION FACILITY

Mr. John German, Director of Public Works and Engineering, reported on the Oak Springs Stormwater Detention Facility by showing sketches and stating this is proposed on city property near Tillery Street and Oak Springs behind the Oak Springs Library. This project will detain stormwaters which now flow into "Tom Miller Ditch" and then into Boggy Creek. The detention facility will hold back floodwaters and release the runoff at a slow, measured rate. This will minimize the flooding which now occurs in the Govalle/Goodwin areas and is also complementary to the improvements along Boggy Creek proposed by the U.S. Corps of Engineers. The project includes excavating several areas of land to a depth of 4-5 feet, and constructing a 4-5 feet high, gradually sloped berm around three sides of the facility. An exit pipe which restricts the flow out of the detention facility, plus an emergency spillway and some storm sewer extensions are also included. The incoming rates from upstream watersheds can reach 554 cfs. in the 100 year frequency storm while exit rates will be about 55 cfs. Mr. German described how the pilot channel will be constructed. He concluded by stating the neighborhood group is supportive of the proposed improvements and since funds are available through HCD Boggy Creek funds, work will begin within three weeks on this detention facility. It is estimated to cost \$120,000 and will require about four months to complete.

Councilmember Snell said Mr. German should have a meeting with the Booker T. Washington group so they too can see what is happening.

BEE CAVES WOODS SECTION 4 - MOPAC FRONTAGE ROAD

Dr. Jim Benson, Director of Urban Transportation, presented the following report on Bee Caves Woods Section 4 - MoPac Frontage Road:

Bee Caves Woods, Section 4 is a residential subdivision in near southwest Austin. As a condition of the subdivision plat, one street was required to be extended and connected to MoPac Boulevard. Since frontage roads were not to be constructed in this area the subdivision street, Doris Ann Boulevard, was to connect directly to the southbound main lanes of MoPac Boulevard.

Over the past several months the developer's engineer has been working with City staff and representatives of the State Department of Highways and Public Transportation in an effort to develop an acceptable design for the connection. Two basic options evolved from these discussions; (1) a modified "T" intersection and (2) the construction of a section of the frontage road. Of the two options, the frontage road construction is the more desirable.

The disadvantages of a "T" intersection are evident when one analyzes the operation of traffic at the proposed street intersection. (1) Traffic wishing to exit MoPac Boulevard at Doris Ann Boulevard would need to decelerate from 55 MPH to a safe turning speed and then turn right. (2) Traffic wishing to enter MoPac Boulevard from Doris Ann Boulevard would need to look for an opening in traffic, turn right and accelerate to match the speed of the traffic. There would not be sufficient room to provide an adequate acceleration lane. (3) The shopping mall exit ramp currently is proposed to begin just 900 feet south of Doris Ann Boulevard. In this 900 foot distance much weaving or lane changing could also be expected as drivers prepare to exit at the mall.

With the frontage road option, the off ramp would be moved from just north of the mall to just north of Doris Ann Boulevard. The advantages of a frontage road are as follows: (1) The off ramp would provide for separation of decelerating traffic from through traffic. (2) Frontage road traffic would travel at lower speeds than the main lanes so traffic from Doris Ann Boulevard would not need to accelerate quickly. (3) Less lane changing would be expected along the frontage road as traffic approached the shopping mall. And the weaving movements or lane changes should be safer as there would be slower speeds than along the main lanes.

A frontage road would separate traffic movements and provide for safer operation. Drivers from Bee Caves Woods, Section 4 could use the frontage road to access the shopping mall or to continue to the turnaround for a northbound destination. The movement from Doris Ann Boulevard to Loop 360 southbound could also be accomplished using the frontage roads.

One of the reasons a frontage road was not to be constructed with the MoPac construction in this area was to prevent strip development for small commercial uses. Since the land adjacent to MoPac Boulevard has been platted in this area with no access restrictions, the construction of a frontage road should have no adverse effect on the area.

In discussions with the representatives of the State Department of Highways and Transportation, it was stated that frontage roads have been designed, and the frontage roads would be "roughed-in" during the main lane construction. A paved surface not to be provided. However, if the City were to request the construction of additional frontage roads, the State would probably do the work as an addition to the existing contract.

Councilmember Cooke said, "At the ATS this received considerable discussion...the Austin Transportation Study, about whether we should have frontage roads and of course the issue you just touched upon about the potentiality and commercialization of this particular segment was a concern of the ATS. My concern here in your recommendation we provide a resolution to the Highway Department that pretty much excludes other discussion at ATS level, or that's my perception of your memo." Dr. Benson asked him to clarify. Councilmember Cooke continued, "The implication here is that the City of Austin would petition through the Highway Department a resolution for some augmented funds to build a frontage road for safety purposes. That wouldn't receive the scrutiny or analysis of the Austin Transportation Study, which had deliberated this issue and had decided to exclude the frontage road from this particular segment of MoPac. It appears to me that we would not be giving ATS the opportunity to reconsider the facts the city believes pertinent, i.e. safety and welfare in preparing this frontage road and it would not potentially create a strip zoning commercial effect because of all the platting that has already gone on. I feel if we didn't get some consideration from ATS in the fact it had so much discussion, it would be an oversight I couldn't agree with." Dr. Benson asked if it should be taken to ATS before they bring it back to Council. Councilmember Cooke said, "That does not necessarily preclude Council from going on record where they stand, but I feel to go straight to the Highway Department, in that it was a controversial item at ATS level, to ignore ATS would be wrong.The essence of my concern, as a member of ATS, is trying to maintain a good faith attitude with the City of Austin and ATS. I feel if we do not do that with this issue it will seem like we are just moving around behind ATS after they had stricken that particular project from their annual element."

PROPOSED CHANGES IN OPERATION OF BRACK PARKING GARAGE

The Brackenridge Professional Building is nearing completion but Byram Properties has encountered considerable difficulty in leasing the space therein. The primary problems involve satisfactory assurance of parking arrangements for the doctors' patients. The present garage operation does not provide the type of parking system more generally used in such cases.

As you know, the City Council has authorized us to proceed with proposals for a lessee to complete the parking garage and to take over operation and management of the facility. A pre-proposal conference is set for September 5th, 1980. We believe the type of parking system that will result from those proposals will provide the longer range solution to the parking problems; however, an immediate solution is needed for the Brackenridge Professional Building. Since the main reason for the Brackenridge Professional Building's existence is to have a successful doctor's office building adjacent to the hospital, we believe it would be to the hospital's advantage to try to work with Byram Properties to find an acceptable solution.

We have visited with representatives of Byram Properties and have discussed the arrangement described in the attached letter. It would form the basis for an interim lease amendment which we would develop and bring back for approval by the City Council. The term of the agreement is not shown but it could last from six months to a year. Actual experience will be needed before knowing exactly how some aspects should be handled. We would therefore prefer to leave room for renegotiation if the situation changes.

Hospital employees now pay \$3.00 per month for undesignated spaces in the employee section of the garage. That monthly charge is proposed to go to \$5.00 as part of this proposal. An alternative would be for the hospital to pay the increase through a reduction in revenue. For approximately 1,025 employees now paying to park, the increase figures \$2,050.00 per month.

The City has been averaging about \$3,950.00 per month in revenue from the combined employee and metered parking. The proposal would continue that same level of revenue. We would temporarily suspend the lump sum rental of \$2,190.00 per month that Byram is to begin paying upon completion of his building for 146 spaces to consider the fact that those spaces are not yet needed until more building tenants are in occupancy and to defray the cost of providing an operator. This is subject to renegotiation as the professional building becomes substantially occupied.

Items 7 and 8 of the letter pertain to designation of spaces and creation of additional spaces in the unfinished area. It would be my recommendation that approval of these items be delayed until experience shows that they are necessary or desirable and more detailed information is available. We will also need to consider respective liabilities and see that each party is adequately covered in that regard.

This arrangement would go into effect on October 1, 1980. I recommend that it be approved in principle by the City Council at this time in order that Byram Properties might proceed with the necessary arrangements to put it into effect by that date. We would also proceed to develop the lease amendment and bring it back to the City Council for confirmation of approval.

Mayor McClellan asked Mr. Spurck, Director of Brackenridge Hospital, what the Hospital Board's recommendation is. Mr. Spurck told her the Board has not looked at it. He pointed out six doctors have not signed their lease for office space and will not do so until the parking facility is taken care of. He said it has been recommended to open the whole facility to attendant parking. Mayor McClellan said there should be an emergency meeting of the Hospital Advisory Board to discuss this.

TROPHY PRESENTED TO COUNCIL

MS. MARTHA KNOX, head coach, Little Misses Kickball Team, presented the trophy to Council which they won by placing first in the state playoffs at Corpus Christi, Texas. Mayor McClellan accepted the trophy with the thanks and appreciation of all Councilmembers but told Ms. Knox the team had worked very hard to win the trophy and should keep it for themselves.

AUSTIN CENTRAL LIBRARY DISCUSSED

MR. CARROLL C. SANDERS appeared before Council to discuss certain activities of the Austin Central Library. He is not happy with the security system at the Central Library and asked Council to have it investigated and evaluated.

Mr. David Holt, Library Director, presented a report to Council which he read. CITY CLERK DID NOT RECEIVE A COPY. He concluded his remarks by stating precaution such as searching women's purses have to be taken because any security system can be beat.

EAST AUSTIN CHICANO DEVELOPMENT CORPORATION

MS. EVA ESPARZA WARDLOW appeared before Council as executive director of the East Austin Chicano Economic Development Corporation to introduce the staff to Council as follows: Housing Director, Gene Vasquez; Research and Information Specialist, Jane Haney; Municipal Director, Gilbert Rivera; Industrial Director, Lionel Aguirre; and Business Director, Arturo Guevara.

Ms. Wardlow said their key purpose is to come up, with the community based group they have, with features that will work into UDAG and are hoping to work in a cooperative manner with the staff for their presentation.

ZONING CASE POSTPONED

MR. JOHN D. GAMBLE appeared before Council to request that Council schedule Zoning Case No. C14-80-145 for an evening session, rather than the tentative date of September 25, 1980. He asked that the hearing for this case be moved to October 16, 1980 to accommodate the 130 people who live adjacent to the land. Mr. Lillie, Director of Planning, said he has a call into Dr. Leggett, applicant concerning this. Mr. John Meinrath, representing the applicant, said he is going to request, at the Planning Commission meeting tonight, to postpone the hearing on this case until some time later this month, probably the last Tuesday to give him time to work with the staff and Commission members on a development alternative the neighbors will find more attractive. Mr. Albert DeLaRosa said he will indicate to the staff that this case will be postponed until October 16, 1980.

WORKING RELATIONSHIP BETWEEN THE CITY
AND CHAMBER OF COMMERCE

MR. NEAL SPELCE, president, Austin Chamber of Commerce, appeared before Council to discuss the working relationship between the City of Austin and the Austin Chamber of Commerce. He illustrated his remarks by use of slides. He said the Chamber is proud of their relationship with the City of Austin.

REQUEST FOR MONEY

MS. JEANINE ROBINSON appeared before Council as director, sponsor-coordinator for refugees, to request emergency financial assistance for refugee social service organization. She said \$3,000 to \$4,000 is needed until October 1.

Councilmember Cooke suggested she get together with staff for a better determination of need. Mayor McClellan told her there will be a public hearing next Monday for budgetary requests from social services and suggested she appear there.

CHILI COOK-OFF

Councilmember Trevino moved that the Council approve the request of Ms. Colleen McHale, Bean's Restaurant and Bar, for permission to place a banner at 100 W. Riverside from September 8, 1980 through September 15, 1980 for First Annual Bean Bash & Chili Cook-Off Saturday, September 13, 1980. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Goodman, Himmelblau

Not in Council Chambers when roll was called: Councilmember Cooke

PAVING ASSESSMENTS

Mayor McClellan opened the public hearing, scheduled for 9:00 A.M. on the Capital Improvements Program in connection with paving assessments to be levied on Armadillo Road, consisting of 1 block, Capital Improvements Program No. 78/62-05.

Mr. John German, Director of Public Works and Engineering, described the paving assessments. He said the appraiser, Mr. Herbert Sladik Jr. stated Parcels 2, 3, 4, 5, 6, 7, 8 & 9 are not enhanced and the city is in agreement.

MR. JAMES RIGGS, Assistant City Attorney, questioned Mr. Sladek concerning his qualifications as an appraiser.

No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN AN AMOUNT AT LEAST EQUAL TO THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED; FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF; PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND THE RECEIPT FOR PAYMENT OF AND RELEASE OF LIEN ON THE SAME; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

Councilmember Mullen moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmembers Goodman, Himmelblau

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING - BLACKSHEAR URBAN RENEWAL PLAN

Mayor McClellan opened the public hearing, scheduled for 10:00 a.m. to consider changing the Blackshear Urban Renewal Plan

Mr. Tom Knickerbocker, Austin Redevelopment Authority, appeared before Council to state that all of Blackshear is in favor of the plan. He said the Board of Commissioners of the Austin Redevelopment Authority considered and approved a change in the Blackshear Urban Renewal Plan to allow the two lots adjacent to the Gregory Street extension to be changed from Park Area Use to Residential Use. This was inadvertently left off the original resolution to the City Council. The corrected resolution is included in the Agenda material.

No one appeared to be heard.

Motion

Councilmember Snell moved that the Council close the public hearing and change the Blackshear Urban Renewal Plan. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Mullen

Noes: None

Absent: Councilmembers Goodman, Himmelblau

ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 10:15 a.m., on the following application. Pursuant to published notice thereof, the following zoning was publicly heard:

DAN STATHOS, JR. 108 East Gibson
by John Meinrath
C14-80-139

From "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission with notation that
applicant has agreed to five
specific conditions to be entered
into a restrictive covenant even
though these conditions do not
apply exclusively to the subject
project.

Mr. Lillie reminded Council that this case had been postponed from last week even though everyone was in agreement, because Connie Ray, South River City Citizens Group wanted to speak to the case and was unable to attend the meeting.

MR. JOHN MEINRATH, representing the applicant, told Council that all parties concerned with the case are in agreement.

MS. CONNIE RAY appeared before Council to thank Mr. Meinrath for arranging a compromise with the applicant and her neighborhood association.

Motion

Councilmember Trevino moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission subject to conditions. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Mullen, Snell

Noes: None

Absent: Councilmembers Goodman, Himmelblau

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

AGENDA ITEMS POSTPONED

Councilmember Snell moved that the Council postpone until October 9, 1980 at 6:30 p.m. the following agenda items:

1. Consideration of Atkinson Road - Options II & IV
2. City Manager Report - Funding for Atkinson Road Options

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Mullen, Snell, Trevino

Noes: None

Absent: Councilmembers Goodman, Himmelblau

RECESS

Council recessed its meeting at 11:55 a.m. and resumed its recessed meeting at 2:30 p.m. Councilmember Goodman was present in the Council Chamber for the afternoon meeting.

APPEAL OF SPECIAL PERMIT

Mayor McClellan opened the public hearing scheduled for 2:00 p.m. on an appeal from Mr. Curt G. Schulze on the Planning Commission's decision to grant a special permit for construction of five townhouses at 504/506 West 33rd Street, C14-80-044.

Mr. Lillie reviewed the application and said the applicant wishes to build five townhouses. The lots are possible for duplexes.

MR. LEON WHITNEY, applicant, referred to maps showing where the town houses will be located and reviewed the history of the land use in question. He said there will be a driveway entrance on 34th Street and there is enough room to allow 6 townhouses, but he will build 5. He said they will sell for \$150,000 so they will be quality houses. He said the neighborhood's response to his plan has been positive and the Planning Commission unanimously approved the Special Permit.

CURT SCHULZE, 400 West 33rd Street, said the neighborhood has been battling the zoning density in the area for years. He would rather have only four units.

PETER VON WUPPERFELD, told Council the lot is an eyesore and it would be an improvement to have something built on it. He is in favor of the town homes.

ROY T. WALKER, whose mother's home is on Wheeler Street, said the people in the area support town homes for home ownership rather than rental units.

GUS BOZELL, architect for the town homes, described how they will be built, and discussed the approach to the garage as well as the 5' variance for sidewalk.

MATT BERRY, who lives on 32nd Street, would rather have four units because of the density question.

JOHN MOREHEAD, 110 West 32nd Street thought the zoning should be limited to single houses. He said the town homes could be divided into duplexes.

Mayor McClellan commented there could be a restrictive covenant that the area stays as zoned. Assistant City Attorney DeLaRosa said restrictive covenant could restrict use to town homes and not duplexes. Mr. Whitney said there is not enough room for duplexes and he would have to get a huge variance from the Board of Adjustment.

JERRY BUTTREY, who lives in the area, said he prefers four town homes rather than five.

CINDY KEEVER, 206 West 32nd, said she likes the idea of town houses but feels the run-off and the extra cars would cause problems in the area. She said there is a steep hill on 34th Street.

DENISE SCHULTZ, who lives on West 33rd Street, prefers four units. She feared that with the noise from the street and fewer trees, only students with lots of roommates would buy the houses and there could be 30 residents with 30 cars.

CHRISTOPHER MAYNARD represented a friend who favors the town houses.

Councilmember Goodman asked Mr. Whitney if he already owns the land. Mr. Whitney said he does and it is valued at \$63,000. If he does not build town houses he could apply for "BB" and build multiple apartments.

Motion

Councilmember Trevino moved that the Council uphold the Planning Commission on an appeal from Mr. Curt G. Schulze on the Planning Commission's decision to grant a special permit for construction of five townhouses at 504/506 West 33rd Street. (C14p-80-044) The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan
Noes: Councilmember Goodman
Absent: Councilmember Himmelblau

At the time of roll call Councilmember Mullen assured the neighborhood that the construction will be as specified and presented today otherwise the applicant will have to go back through the process.

Councilmember Goodman stated, "I think the run off will increase, however insignificantly, that the traffic problems will be slightly compounded, it's unfortunate the trees cannot be saved and I admire the applicants for proceeding with the residential project. I vote no because I would rather have four units than five. Very rarely do we have a neighborhood group who appears before us with a wholly reasonable position."

Mayor McClellan commented that not all of the trees will be cut down.

Councilmember Cooke suggested they look into the possibility of using an impervious cover for the drive that includes squares of grass.

PUBLIC HEARING POSTPONED

Councilmember Trevino moved that the Council postpone a public hearing scheduled for 2:15 p.m. on an appeal from Mr. James M. Damon of the Building Standards Commission's decision to demolish a house until September 11, 1980 at 3:30 p.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Cooke
Noes: None
Absent: Councilmember Himmelblau
Not in Council Chamber when roll was called: Mayor McClellan

Mr. Lonnie Davis, Director of Building Inspection, said the postponement had been requested by Mr. Damon.

STREET VACATIONS

Mayor McClellan opened the public hearing, scheduled for 2:30 p.m., on vacating the following and passage of ordinances:

1. Rector Street from East 11th Street to Rosewood Avenue. (Requested by Mr. John Meinrath representing the Austin Redevelopment Authority.)
2. A portion of East 9th Street Alley between Sabine Street and the West frontage road of IH-35. (Requested by Mr. Paul D. Jones, representing the Austin Redevelopment Authority)

Mr. German, Director of Public Works and Engineering, said the proposed vacations are in order.

MR. O.B. CONLEY appeared concerning the Rector Street closing and said he is in favor of it.

MR. CHESTER BURETTI opposed to the closing of the East 9th Street Alley and the progressive taking away of his property rights.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF RECTOR STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITIES PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman

Noes: None

Absent: Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF EAST 9TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman

Noes: None

Absent: Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

SABINE STREET

Mayor McClellan opened the public hearing, scheduled for 2:30 p.m. on closing the following to motorized vehicular traffic:

Sabine Street between East 3rd Street and the alley north of East 3rd Street. (Requested by Leonard Ehrler, Director of Parks and Recreation)

Mr. Joe Barrantine who owns the property at 3rd and Sabine showed slides of the area and said the closure would create a dead end alley and force garbage pick up to the front of the alley. He asked the city to vacate the street rather than close it and then deed it to the property owners who will turn it back to the city. He said they will use old stone to make a walkway.

Mr. Albert DeLaRosa stated, "The city cannot simply deed the land to the property owners. You would have to pay a fair market value for it. There is a state law which states when we vacate a portion of a street like this and it returns to property owners it must be at fair market value."

Mayor McClellan said the restoration done so far in this area has been very fine and she is anxious for the city to find a way to cooperate with the proposal. Councilmember Cooke pointed out the improvements to Waller Creek but said the property owners should integrate their properties with the improvements in order to make it a complete project. Therefore, he thinks it is doubly important for Council to work with Mr. Barrantine's proposal in any way possible. Mayor McClellan said the big question is, "How do we do it?" Mr. Barrantine thinks an improved hike and bike trail may be the answer and said the question of the fence line as established when the city was new, is a problem.

MR. BILL WINN, a property owner in the area, appeared to talk in favor of Mr. Barrantine's proposal.

Mr. Ehrler, Director of Parks and Recreation, said there is a contractor working at the edge of the property and they are faced with a time and money problem. A discussion about the walk followed and whether or not there is city money for this.

Councilmember Cooke suggested they examine the central business district sidewalk money which is available.

Motion

Councilmember Goodman moved that the Council close the public hearing on the closing of Sabine Street between East 3rd and the alley north of East 3rd Street to motorized vehicular traffic and bring back a resolution on September 18, 1980 concerning the property; staff to examine available central business district sidewalk money. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Mullen

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Snell

AGENDA ITEM POSTPONED

The Council agreed to consider the following resolution on September 11, 1980:

CAPITAL IMPROVEMENTS PROGRAM - Consider selection of professional property acquisition services in connection with parkland and greenbelt acquisition for the Parks and Recreation Department.
CAPITAL IMPROVEMENTS PROGRAM Nos. 75/86-03, 75/86-13 & 75/86-14.

RIGHT-OF-WAY ACQUISITION

Councilmember Cooke moved that the Council adopt a resolution approving joint participation with the State Department of Highways and Public Transportation in the acquisition of right-of-way for U.S. 183/Loop 1 Interchange from R.A. Hart. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Trevino

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Mayor McClellan,
Councilmember Snell

Prior to the motion Councilmember Cooke stated, "I respect Mr. Miller's hardship case, but my concern is that if we go ahead and spend \$80,000 or \$100,000 which is city money and then receive reimbursement from the state on the 90/10 split, I guess my point of view is I'm concerned about how long it is going to be when that \$80,000 or \$90,000, which is the state's portion out of our pocket, and my concern is how long is it out of pocket?" Mr. Joe Morahan, Director of Property Management, said if everything goes as it should, not more than 30 days. Councilmember Cooke said 30 days is not a problem but for that amount he wants to see reimbursement by the state facilitated as soon as possible. Mr. Morahan said the city already has a contract for reimbursement of this property with the state and

it will be handled the same as the Springdale/183 change is now. We buy the parcels and then get reimbursed. The paper work takes about 30 days.

AGENDA ITEMS POSTPONED

Council unanimously consented to postpone the following two items until September 11, 1980:

1. Consider authorizing the following Parking Meter Zones:

DELETE

<u>METER TYPE</u>	<u>STREET</u>	<u>LOCATION</u>	<u>SIDE OF STREET</u>
120 Minute	W. 5th Street	400 block	North

ADD

30/60/90/120	W. 4th Street	200 block	North and South
30/60/90/120	W. 5th Street	400 block	North and South
30/60/90/120	W. 16th Street	600 block	North
30/60/90/120	Guadalupe Street	400 block	West
60/120/180/240/ 300	W. 4th Street	400 block	North
60/120/180/240/ 300	Nueces Street	900 block	East and West
120/240/360/480 600	Nueces Street	800 block	East and West

2. Consider approving a policy governing contacts made by cable television companies, their agents and representatives to the Mayor and Members of the City Council and their aides.

HIRING FREEZE

Councilmember Trevino moved that the Council adopt a resolution to put a freeze on the hiring of all city staff except in the areas of health, safety and welfare, as determined by the City Manager. This freeze would be in effect until September 27, 1980, excluding jobs paid with Federal monies. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Trevino wondered if these included jobs paid with Federal monies. Councilmember Mullen said this has to do with only those which the city funds and jobs funded with Federal monies are exempt. Councilmember Mullen stated the main purpose of this freeze is because many times there are slots which have been vacant for a whole year and they do not want the positions filled just as the Council adopts the new budget.

GENERAL AVIATION RUNWAY
TAXIWAY AVIATION PROJECT

Councilmember Mullen moved that the Council adopt a resolution to amend the 1979-84 CIP Budget by appropriating \$606,000 for the extension of the General Aviation Runway 12L-30R and Taxiway Aviation Project. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mullen, Trevino, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Snell

Mr. Roy Bayless, Director of Municipal Airport, answered Councilmember Cooke's question as to whether or not there should be a public hearing, by stating: "No, we were required to advertise the opportunity for a public hearing, which we did for a two week period."

Councilmember Mullen said we are having a problem with the new concourse as far as some of the airlines not wanting to participate in them. Mr. Bayless said that is correct. Councilmember Mullen said the justification for amending the budget is because of the concourse but what if they do not have participation by the airlines. Mr. Bayless said, "The FAA and Joint Planning Conference had recommended this. The north-south airstrip has been restricted to light single engine aircraft or in-line thrust twins. The FAA air traffic controllers feel they can better handle traffic by having the parallel runway extended and it will better serve the third FBO and with the availability of Federal money it is high priority as far as FAA is concerned. We are running down the wire of losing grant money if we don't get it under grant by September 30th." Councilmember Mullen wondered if we should spend this much money if the concourse is not going to be utilized. Mr. Bayless said he thinks it will be. Federal Express wants to base a 727 here during daylight hours. Before there has been no place to park them. Mr. Bayless advised the city should take advantage of Federal monies at this time. He said the airlines are meeting next week and there is indication Eastern Airlines will be using it and American may be in next spring."

CAPITAL IMPROVEMENTS PROGRAM

Mayor McClellan introduced the following ordinance:

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

CONTRACT APPROVED

Councilmember Cooke moved that the Council adopt a resolution approving the following contract:

Austin Road Company
428 E. Anderson Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM
Rutland Drive from F.M. 1325 to
700 feet west of Mountain Quail
Boulevard, Engineering Dept.-
\$653,922.86 C.I.P. No. 73/62-21

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Snell, Trevino, Mayor McClellan,
Noes: None

Absent: Councilmember Himmelblau

Not in Council Chamber when roll was called: Councilmember Snell

Ind No.
80904-2

STATUS OF CERTAIN CITY PROPERTY

Councilmember Goodman introduced an item to Council concerning the status of city property fronting on Balcones and MoPac north of Northland.

Councilmember Goodman said that "(1) Council should adopt a resolution that allows us to participate in that (bidding process) instead of just coming in at the tail end of the process where we are to accept a bid for sale. Mr. Morahan could submit to us a list, it doesn't have to be in Council session, of property that is going to be sold and then we would have an opportunity to review it before hand, or the further extension of the policy is that we authorize it to go through the process for sale and then accept the bids on the other end. The way it's operating right now, only at the last of the process we either accept the bids, sell the property, or reject the bids and don't sell the property and we don't even know about it generally until that stage. So I'd like that placed on September 11th Agenda with some alternatives you can recommend as to how to improve that process. (2) In regards to this specific piece of property, what I'd like to know, and on next week's agenda it can be handled, is the value anticipated we will receive from this property and was any consideration given to preserving it instead as green belt."

Councilmember Mullen said he remembers discussing this in an executive session as to whether or not to sell the property and several of the Councilmembers have decided it may have been the wrong decision and they want to reconsider it. Councilmember Goodman said he is leaning toward not selling it and preserving it as a green belt. Councilmember Mullen stated agreement.

Councilmember Goodman asked for a City Manager report on this. Mayor McClellan suggested the report be brought to them at the September 18, 1980 meeting. Council accepted the suggestion.

ANALYSIS OF POTENTIAL ZONING ON MOPAC

Councilmember Cooke introduced an item to Council to consider conducting an analysis of all existing, pending and potential zoning along MoPac from 2222 north of 183, including a study of the impact of this zoning on traffic in the area.

Mr. Lillie, Director of Planning, told Council that his department has already anticipated this request and will have a report ready for the Planning Commission soon and the Planning Commission will report to Council.

September 4, 1980

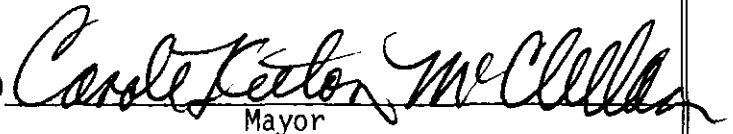
STATUS OF FAYETTE POWER PROJECT
AND SOUTH TEXAS PROJECT

Mr. R.L. Hancock highlighted the City Manager reports on the Status of the Fayette Power Project and the Status of the South Texas Project. Copies of the reports are on file in the City Clerk's office.


ADJOURNMENT

Council adjourned its meeting at 4:50 p.m.

APPROVED


Mayor

ATTEST:


City Clerk